

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

Juan Carlos Abarca-Mercado

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 30, 2018 in the county of Webb in the
Southern District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

21 U.S.C. §§ 963 & 952

Knowingly and unlawfully import, attempt to import, and conspire to import,
 from a place outside the United States, to wit; the United Mexican States, to a
 place in the United States, to wit; Laredo, Texas, a controlled substance
 listed under Schedule II of the Controlled Substance Act, to wit; 41.40
 kilograms of methamphetamine.

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.

/s/ Cesar Estrada

Complainant's signature

Cesar Estrada, HSI ICE Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/03/2018

Judge's signature

City and state: Laredo, Texas

Diana Song Quiroga, U.S. Magistrate Judge

Printed name and title

Attachment A

I, Cesar Estrada, a Task Force Officer with Homeland Security Investigations (HSI), have knowledge of the following facts:

1. On November 30, 2018, Juan Carlos ABARCA-Mercado arrived at the World Trade Bridge Port of Entry in Laredo, Texas via primary vehicle inspection lane, driving a white Kenworth Tractor, pulling a trailer. Customs and Border Protection Officers (CBPO) referred ABARCA-Mercado to secondary inspection.
2. During secondary inspection, CBP Officers performed an x-ray inspection of the tractor and trailer, discovering anomalies within a speaker box located in the sleeper area inside the tractor. CBP Officers probed the speaker box, discovering a white, powdery substance that field-tested positive for the properties of methamphetamine. CBP Officers recovered 41.40 kilograms of methamphetamine, as per CBP scales.
3. HSI Special Agents responded to the World Trade Bridge Port of Entry. Special agents verbally advised ABARCA-Mercado of his Miranda Warnings. ABARCA-Mercado acknowledged his rights but refused to sign a Miranda Warning for waiving his rights. ABARCA-Mercado verbally advised HSI Laredo special agents that he was willing to make a statement without an attorney present. ABARCA-Mercado stated he was not aware that he was transporting narcotics, but that several unknown men in Nuevo Laredo, Mexico had stopped him prior to crossing into the U.S. ABARCA-Mercado also stated that the unknown men instructed him to exit his tractor and board their vehicle while two of the men boarded his tractor. ABARCA-Mercado stated that the men subsequently instructed him to board his tractor again, advising him that someone would be in contact with him once he crossed into the United States. ABARCA-Mercado stated that he had constructed the speaker box inside of his tractor, but was not aware it contained concealed narcotics. ABARCA-Mercado stated he was not threatened by the unknown men and claimed he had a prior encounter with them weeks prior. ABARCA-Mercado also stated he did not inform the CBP Officer at the primary inspection of the incident because he felt he would have been in trouble had they found what was in the tractor.
4. Federal prosecution was accepted for ABARCA-Mercado. He was arrested and transported to the Webb County Jail.